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ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

November 14, 2024

Honorable Sunshine Suzanne Sykes
United States District Court, Central District of California
(Eastern Division-Riverside)
George E. Brown, Jr. Federal Building &
United States Courthouse
3470 Twelfth Street
Riverside, CA 92501-4450

Re: State of Arizona's Interest in 5:24-cv-00404-SSS-DTB, *Guzman, et al v. Western Union Financial Services, Inc., et al.*

Dear Honorable Judge Sykes,

I am aware of the litigation currently pending in the matter of 5:24-cv-00404-SSS-DTB, *Guzman, et al v. Western Union Financial Services, Inc., et al.* Representatives from my office are closely monitoring its progress. As this Court is aware, the Arizona Attorney General enjoys sovereign immunity under the Eleventh Amendment, see *Pennhurst State School & Hosp. v. Halderman*, 465 U.S. 89, 100 (1984). No waiver of that immunity is intended by this correspondence. However, it is important to inform your Honor that the State of Arizona and I, in my official capacity as the Arizona Attorney General, are highly vested in the outcome of this matter.

Since assuming office in January of last year, I have been steadfast in my commitment to tackling the evils committed by Transnational Criminal Organizations (TCOs) operating in the Southwest Border area and adversely affecting Arizonans. As I have publicly declared¹, the TCOs have escalated their brazenness over the past few years, including in the mass importation of fentanyl to and through Arizona, tragically resulting in the loss of hundreds of thousands of lives in the United States. The harm caused by TCOs extends well beyond simply the fentanyl crisis. They continue to control many aspects of illegal immigration, intimidating and victimizing individuals seeking escape from extreme poverty, political corruption, and instability in their own countries. TCOs are responsible for weapons trafficking in Mexico and other Latin American countries, empowering the criminal element and obstructing any progress toward governmental stability. TCOs also fund and encourage the mass commission of fraud against Arizonans, including our most vulnerable elderly residents. I will not sit idly by while these criminal organizations wreak havoc on the citizens of Arizona. As promised during my campaign, I am aggressively employing every tool afforded to me by Arizona law to enforce the rule of law and stop the efforts of these TCOs.

¹ Press Conference: Attorney General Mayes and US Treasury Announce Financial Sanctions Against Cartel, March 25, 2024, <https://www.youtube.com/watch?v=oPQfD78-taM>.

Towards my commitment to confront the TCOs, I have embraced and furthered a program first implemented by a preceding Arizona Attorney General targeting these organizations' laundering of illicit proceeds through Money Service Businesses (MSBs), which are at a much higher risk of being targeted and exploited by TCOs. (See Attached August 2023 Strategy Memo). Our success in combatting these sophisticated TCOs is highly dependent on my ability to issue and enforce the subpoenas and obtain the requested transactional records that are at the crux of the present matter before your Honor.

Because a primary issue before this Court is the legality of the Defendant MSBs' compliance with these subpoenas, I believe it is important to notify this Court of the State of Arizona's interest in this matter. In fact, it is difficult to identify a party more interested in such litigation than the State of Arizona. Should the question arise, as it did in similar litigation pending in the Northern District of California in 4:22-cv-07996-HSG, *Sequeira, et al v. Homeland Security Investigations* (HSI), *et al*, by this correspondence, I wish to inform the Court that the State of Arizona has a very strong interest in the matter currently before this Court in 5:24-cv-00404-SSS-DTB, *Guzman, et al v. Western Union Financial Services, Inc., et al*.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kris Mayes', is written over a light blue horizontal line.

Kris Mayes
Arizona Attorney General

cc: All named parties through their noticed representatives (see email list attached).

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